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02                   UNITED STATES DISTRICT COURT  
03                   WESTERN DISTRICT OF WASHINGTON  
04                   AT SEATTLE

05                   DANA W. SHINN,                           ) CASE NO. C08-1786RSL  
06                   Plaintiff,                                 )  
07                   v.   )  
08                   MICHAEL J. ASTRUE                         )  
09                   Commissioner of Social Security,         )  
   )  
   )  
   )  
   )  
   )

10                  The Court, after careful consideration of the Plaintiff's complaint, the parties' briefs, all  
11 papers and exhibits filed in support and opposition thereto, the Report and Recommendation of  
12 the Honorable Mary Alice Theiler, United States Magistrate Judge, and the balance of the  
13 record, does hereby find and ORDER:

- 14                  (1)      The Court adopts the Report and Recommendation;  
15                  (2)      The Final decision of the Commissioner is REVERSED and this case is  
16   REMANDED to the Social Security Administration for further proceedings not  
17   inconsistent with the Report and Recommendation;  
18                  (3)      The Clerk of the Court is directed to send copies of this Order to the parties and  
19   to Judge Theiler.

20                  DATED this 7<sup>th</sup> day of August, 2009.

21     
22   Robert S. Lasnik  
   United States District Judge